

REMARKS

This is in response to the Office Action dated January 26, 2005.

While applicant believes that the oath/declaration is correct, a new declaration from David R. Hall is being obtained and will be filed upon receipt of the same.

Claim 34 stands rejected under Section 102(b) as being allegedly anticipated by Fujimori.

This Section 102(b) rejection is respectfully traversed for at least the following reasons.

Claim 34 as amended calls for a “low-E coating including from the first glass substrate outwardly at least the following layers: a layer comprising a metal oxide, a contact layer, a layer comprising silver, another contact layer, a layer comprising a metal oxide, another contact layer, another layer comprising silver, another contact layer, and a layer comprising silicon nitride.”

Fujimori fails to disclose or suggest such a coating. Fujimori merely discloses silver located between a pair of tungsten oxide layers, and is unrelated to the low-E coating now claimed.

Furthermore, claim 34 requires a haze value of less than or equal to 0.3. Fujimori also fails to disclose or suggest this. Haze is not particularly related to visible transmission, and the visible transmission of Fujimori is clearly not an indication of a haze value as currently claimed. As explained in paragraph [0054] of the instant application, haze is defined in accordance with ASTM D 1003 as that percentage of light which in passing through deviates from the incident beam greater than 2.5 degrees on average. No cited reference discloses such a haze value as called for in claim 34. Thus, even the alleged combination (which applicant believes to be incorrect in any event) fails to disclose or suggest the invention of claim 34.

Veerasamy '808 also fails to disclose or suggest the haze values called for in claim 34. Thus, the reference is unrelated to the coating of claim 34. Moreover, there is no suggestion in the cited art for combining features of Veerasamy with Fujimori.

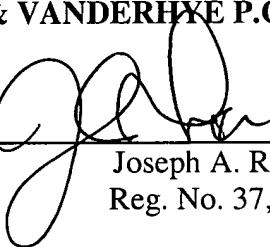
Claim 34 also requires that the “first glass substrate is an ion beam milled glass substrate where the ion beam milling eliminates fish-eye blemishes so that the windshield is free of fish-eye blemishes.” The cited art fails to disclose or suggest this. The lack of fish-eye blemishes in the final product is a feature of the product and cannot be said to be a product-by-process limitation. This requirement of claim 34 must be positively considered.

For at least the foregoing reasons, it is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the examiner is invited to telephone the undersigned with regard to the same.

Respectfully submitted,

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